

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Eric Evans,	:
	:
Plaintiff,	:
	:
v.	: Case No. 2:07-cv-1061
	:
Ohio Public Employee	: JUDGE MARBLEY
Retirement System,	:
	:
Defendant.	:

ORDER

Plaintiff has moved for an entry of default and for a default judgment. At the time he filed his motions, the defendants had answered but had not served the answer on plaintiff. Subsequently, the defendants cured that omission. Because defendants timely filed their answer, and because it is the strong policy of the federal courts to decide cases on their merits rather than upon technical pleading deficiencies, see Shepard Claims Service v. William Darrah & Associates, 796 F.2d 190, 193 (6th Cir. 1986), plaintiff's application for the entry of default (#7) and his motion for a default judgment (#8) are both DENIED.

s/Algenon L. Marbley  
Algenon L. Marbley  
United States District Judge